

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-CR-00346-RJC-DSC

USA)
)
)
 v.) ORDER
)
)
 CHARLES AUGUSTINE ORISAKWE)
)

THIS MATTER is before the Court on the defendant's motion for the return of seized property, pursuant to Fed. R. Crim. 41(g), (Doc. No. 41), and the government's response, (Doc. No. 42).

The defendant seeks the return of:

1. his Nigerian passport, which the government claims it does not possess;
2. his cell phone, which the government contends was used during the offense and contains victims' personal identifying information; and
3. his wallet, which the government states was destroyed, and \$1,200 in currency, which the government asserts was forfeited.

In his plea agreement, the defendant stipulated to the forfeiture of each asset seized in the investigation. (Doc. No. 18 at 3-4). He also executed a Consent Order and Judgment of Forfeiture regarding \$16,267.10 in currency and a forfeiture money judgment for \$302,230.65, providing that proceeds and substitute property would be used to satisfy the judgment. (Doc. No. 33 at 1). The Consent Order was incorporated into the Judgment. (Doc. No. 36 at 7). Accordingly, the defendant has not shown that he is entitled to the requested property.

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

Signed: June 25, 2019

Robert J. Conrad Jr.



Robert J. Conrad, Jr.
United States District Judge